

1 Your Name: Marylynn Reynolds
 2 Address: 3925 Goldridge Court, San Jose, Calif. 95135
 3 Phone Number: (408) 266-3575
 4 Fax Number: _____
 5 E-mail Address: Reynoldsmary21@yahoo.com
 6 Pro Se Plaintiff

E-filing

ADR
 DEC 31 2013
 RICHARD W. WIEKING
 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

Filed

#4 pd
S

United States District Court

Northern District of California

CV 14-00003
 Case Number [leave blank] HRL

Marylynn Reynolds

Plaintiff(s),

vs.

Philip ReynoldsFidelity National Financial Corp.Fidelity National Title Group**COMPLAINT****DEMAND FOR JURY TRIAL**Yes No

Defendant(s).

1. Parties in this Complaint

a. **Plaintiff(s).** Write your name, address, and phone number. If there are other plaintiffs, use more pages to include their names, addresses, and phone numbers.

Name: Fidelity National Financial Corporate Headquarters et al.Address: 601 Riverside Ave, Jacksonville, FL 32204Phone number: 888 934 3354

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1 b. **Defendant(s).** Write the full name and address of every defendant. If the defendant is
 2 a corporation, write the state where it is incorporated and the state where it has its main place of
 3 business. Use more pages if you need to.

4 **Defendant 1:**

5 Name: Fidelity National Title Group
 6 Address: 601 Riverside Ave., Jacksonville FL 32204

7
 8 **Defendant 2:**

9 Name: Richard McMillan (realtor)
 10 Address: 1729 Tully Road
 Modesto, Calif. 95350

11
 12 **Defendant 3:**

13 Name: Fidelity National Title Company, Alana S. Miller, CSEO
 14 Address: 1067 Blossom Hill Road, San Jose, CA 95123

15
 16 **Defendant 4:**

17 Name: Lori A. Giovannetti (209) 323-5569
 18 Address: _____
 3310 Providence Way Stockton CA 95209-2126

19
 20 **2. Jurisdiction**

21 Usually, only two types of cases can be filed in federal court: cases involving "federal
 22 questions" and cases involving "diversity of citizenship." Check at least one box.

23 My case belongs in federal court under federal question jurisdiction because it is
 24 about federal law(s) or right(s).

25 Which law(s) or right(s) are involved? Can plaintiff sue defendants for
 26 mail fraud (18 U.S.C. 1343) wire fraud (18 U.S.C. 1341) scheme to defraud
 U.S.C. 1346?

27 My case belongs in federal court under diversity jurisdiction because none of the plaintiffs
 28 live in the same state as any of the defendants AND the amount of damages is more than \$75,000.

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1 **3. Venue**

2 This Court can hear cases arising out of Alameda, Contra Costa, Del Norte, Humboldt,
 3 Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco,
 4 San Mateo, and Sonoma counties. This is the right court to file your lawsuit if 1) All defendants
 5 live in California AND at least one of the defendants lives in this district; OR 2) A substantial
 6 part of the events you are suing about happened in this district; OR 3) A substantial part of the
 7 property that you are suing about is located in this district; OR 4) You are suing the U.S.
 8 government or a federal agency or official in their official capacities and you live in this district.
 9 Explain why this district court is the proper location to file your lawsuit.

10 Venue is appropriate in this Court because two defendants, Fidelity National
 11 Financial Corp and Fidelity National Title Group are located
 12 out of state. Therefore U.S. federal court is the appropriate venue.

13 **4. Intradistrict Assignment**

14 There are three divisions of this Court: San Francisco/Oakland, San Jose, and Eureka.
 15 The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San
 16 Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San
 17 Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt,
 18 Lake, Mendocino counties, only if all parties consent to a magistrate judge. Explain which
 19 division your case should be assigned.

20 This lawsuit should be assigned to [Select one: San Francisco/Oakland, San Jose, OR
 21 Eureka] Division of this Court because defendant, Philip Reynolds works in
San Jose, California; plaintiff lives in San Jose.

24 **5. Statement of Facts and Claims**

25 Write a short and simple description of the facts of your case. Include WHERE and
 26 WHEN the events happened, WHO was involved, WHAT role each defendant played, and HOW
 27 you were harmed. If you know which laws or rights the defendant violated, you can include them,
 28 but you do not need to make legal arguments. Put each fact or claim into a separate, numbered

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1 paragraph, starting with 5a, 5b, and so on. Attach additional sheets of paper as necessary. You
 2 may attach documents that support your claims to the end of this Complaint as exhibits. Explain
 3 what each exhibit is, when and how you got it, and how it supports your claims. Attaching a
 4 document to your Complaint does not necessarily mean that it will be accepted as evidence.

5 In 1981, Plaintiff, Marylynn Wheeler, an unmarried
 6 woman purchased a townhouse in San Jose, California.
 7 The address of which is 3419 Prince Albert Court 95132.

8 In February 1983, Plaintiff married the defendant,
 9 Philip Sheldon Reynolds. Plaintiff, Marylynn Reynolds
 10 filed for divorce in October, 2009. Because plaintiff
 11 has had several unscrupulous attorneys, she is still
 12 married to the defendant, Mr. Reynolds. Plaintiff
 13 has recently discovered (July, 2013) that Mr. Reynolds
 14 had engaged in secret financial transactions to
 15 enrich himself throughout their long-term marriage
 16 and that these transactions were facilitated by the
 17 title companies. On or near Oct, 2000, Plaintiff paid
 18 Dawn a representative of the builder McRoy-Wilbur
 19 \$1,500 to hold a lot and an additional \$15,000.00
 20 for lot 15, which was a premium lot. A home was
 21 to built on that lot. Plaintiffs' husband Philip
 22 Reynolds insisted that we employ his friend, Richard or
 23 Rich McMillan to handle the real estate transactions
 24 specifically the loan transactions. The builder
 25 required that we pre-qualify the loan. Rich McMillan
 26 had Plaintiff to sign documents under the guise that
 27 the purpose was to pre-qualify for a loan with Acubanc.

28

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rev: 6/2013

1 On or near Dec. 21, 2000, Fidelity National Company employee, Chi Phan
 2 initiated—albeit—prematurely a title search and generated
 3 a preliminary report (Exhibit A). Unbeknownst to plaintiff,
 4 there was no need to generate a preliminary title report
 5 in the first place, since the construction on the home
 6 would not begin until almost six months later. Shortly after
 7 signing the documents for the (bogus) Accubanc loan,

8 Mr. McMillan stated the Accubanc loan did not go through,
 9 and he would have to look for another loan. It took over a
 10 year for McRoy Wilbur to build the home. On or near
 11 February 15, 2001 another Fidelity National Title company
 12 representative, Alan S. Miller, CSEO, facilitated
 13 the wire transfer (ESCROW 900287-ASM) of \$114,305.62
 14 into a fraudulent SANWA Bank account / checking account
 15 ABA Routing # 122003516. Although the document (Special
 16 Projects) (Exhibit B) specified plaintiff's name, Marylynn
 17 Reynolds, plaintiff was not aware that such account
 18 existed. Plaintiff never set up any credit/checking
 19 account with Sanwa Bank. In addition to diverting
 20 \$114,305.62 to a private account, First American Title Lenders
 21 Title Company ~~fraudulently~~ fraudulently wired money
 22 to First American Trust Bank (\$21,268.36) when
 23 we refinanced property 1221 Sapphire Court with Bank
 24 of America. I contacted the escrow officer in Pleasanton,
 25 California and she cannot explain where the \$21,268.38
 26 went. Finally, after refinancing with B of A our loan
 27 inexplicably went from \$266,465.43 to \$281,534.79.
 28 It should be noted that I am continuing to uncover defendant
 Philip Reynolds hidden assets.

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6 Demand for Relief

State what you want the Court to do for you. For example, depending on which claims you raise, it may be appropriate to ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount.

Plaintiff requests relief under the Mandamus Victim Bill Restoration Act (MVRA) 18 U.S.C. § 3643A. This Act allows district courts to order payment of restitution. United States v. Angelica, 859 F.2d 1390, 1392 (9th Cir. 1988).

10 Plaintiff, Marylynn Reynolds, institutes this action for actual damages, declaratory
11 damages, statutory damages, punitive damages, exemplary damages, pain and suffering
12 damages arising from mail fraud, fraudulent concealment, conspiracy,~~and~~ *mail fraud*
Collusion, breach of duty, and other related violations. This is a civil action and remedies
13 are authorized by the federal statutes at 18 U.S.C. 1961-1970 for declaratory relief,
actual, consequential and exemplary damages and for all other relief which this honorable
14 United States District Court deems just and proper under all circumstances which have
occurred this COMPLAINT.

7 Demand for Jury Trial

Check this box if you want your case to be decided by a jury, instead of a judge.

Plaintiff demands a jury trial on all issues.

All plaintiffs must sign, date, and print their names at the end of the Complaint. Attach another page if you need to.

Respectfully submitted,

Date: Dec. 31, 2013 Sign Name:
Print Name:

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Transaction 2



Fidelity National Title Company

2150 North First Street, Suite 310 • San Jose, CA 95131
(408) 324-4900 • FAX (408) 432-9011

PRELIMINARY REPORT

Transaction # 7
ESCROW OFFICER: Chi Phan

ORDER NO. 9002287 190.8 2001
LOAN NO. - Condo

TO: E-C Mortgage
1729 Tully Road
Modesto, CA 95350

ATTN: Veronica

SHORT TERM RATE: no

PROPERTY ADDRESS: 3419 Prince Albert Court, San Jose, California

EFFECTIVE DATE: December 21, 2000 07:30 AM Process Started 95138

The form of Policy or Policies of title insurance contemplated by this report is:

American Land Title Association Loan Policy (10-17-92) with A.L.T.A. Form 1 Coverage

THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee ✓

TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Philip Reynolds and Marylynn Reynolds, husband and wife

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SAN JOSE, IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

GS/GS 01/02/2001

process ended

Exhibit A

*** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 0044
 DESTINATION TEL # 17142503386
 DESTINATION ID
 ST. TIME 10/30 09:48
 TIME USE 00'00
 PAGES SENT 0
 RESULT NG

#0018 BUSY/NO SIGNAL

Disbursement Summary Report

Processing Region: 846 - Mortgage Services
 Office Name: 0413 - Santa Clara INACTIVE 2/22/10 (2377)
 Office Address: 1737 North First Street, Suite 110, z San Jose, CA 95112
 Office Phone/Fax: (408)579-8391 / (800)204-3635

File No.: 2174407c

Buyer:	Reynolds	Property:	127 Saphire Ct Ripon CA 95366
Seller:		Officer:	Dennis Repetto / LL

Date No./ Status	Page Status/ Paid Date	Issue Date/T Transmittal D	Days Open	Disb. Amt. Total Due	Description/ Distributed As	Bank Name/ Bank Code - Acc
4131000191 Adjusted		04/19/2004		\$10,634.36	C	First American Trust FSB - 002

4131000191 Normal		04/19/2004		\$10,634.36	C	First American Trust FSB - 002
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4131000192 Issued		04/19/2004		\$3,730.00	C	First American Trust FSB - 002
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4131000355 Issued		04/29/2004		\$10,634.36	C	First American Trust FSB - 002
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60 Issued		04/19/2004		\$1,205.00	F	First American Trust FSB - 002
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68 Issued		04/20/2004		\$266,465.43	W	First American Trust FSB - 002
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Note: Service Fee is a memo transaction only.

Total Issued	\$292,169.15
Net Adjustments	\$10,634.36
Net Issued	\$281,534.79
Total Pending	\$0.00
Total Held	\$0.00
Total	\$281,534.79